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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 1679/2020**

VINOD KUMAR

..... Petitioner

Represented by: Mr. C.M. Sangwan, Advocate.

versus

THE STATE

..... Respondent

Represented by: Mr. Sanjeev Sabharwal, APP for State
with ASI Sanjay, PS Cr. Br.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

16.07.2020

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The hearing has been conducted through Video Conferencing.

1. By this petition the petitioner seeks interim bail in case FIR No. 167/2015 under Sections 20/25/29 of the NDPS Act registered at PS Crime Branch on the ground that the petitioner is a known case of COPD, suffering from asthma and thus being a co-morbid person stands a high risk from COVID in the jail.
2. The allegations against the petitioner in the above-noted FIR is that after the receipt of a secret information that two persons namely Dinesh and Raju, supplying charas in Delhi after procuring the same from Uttarakhand, would be coming at Gagan Cinema, Wazirabad Road and that they would be supplying the same to one person namely Satbir between 3.45 PM to 4.15 PM, a raiding party was constituted.
3. At the instance of the informer, Vinod Kumar, the petitioner and Dinesh Kumar were apprehended at 3.55 PM. From the search of Dinesh

Kumar a red colour carry bag was recovered and on checking it was found contained transparent polythene tied with rubber-band and containing black colour substance, which was found to be charas and weighed 3 kgs. A formal search of the petitioner was also taken and from his bag 2 kgs charas was recovered.

4. Learned counsel for the petitioner informs that the petitioner is in custody since the date of arrest and out of 12 witnesses 8 witnesses have already been examined..

5. A medical report has been called form the jail which shows that the petitioner is a patient of asthma, on regular medication and inhaler.

6. Considering the medical condition of the petitioner as he is an asthmatic patient, this Court deems it fit to grant interim bail to the petitioner. It is therefore directed that the petitioner be released on interim bail for a period of 8 weeks on his furnishing a personal bond in the sum of ₹50,000/- with two surety bonds of the like amount to the satisfaction of the learned Trial Court/ CMM/ Duty Magistrate, further subject to the condition that the petitioner would report to the SHO, Narcotic Cell, at 4.00 PM on every Monday. Petitioner and the sureties will also keep their mobile phones in active mode during the pendency of grant of interim bail so that as and when required, the petitioner can be contacted.

7. Petition is disposed of.

8. Order be uploaded on the website of this Court.

MUKTA GUPTA, J.

JULY 16, 2020 /‘ga’